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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/887,751	06/22/2001	Steven S. Kantner	55980USA1B.004	7737
7:	590 11/30/2005		EXAM	INER
Attention: Robert W. Sprague			KANTAMNENI, SHOBHA	
Office of Intelle	ectual Property Counsel			
3M Innovative Properties Company		ART UNIT	PAPER NUMBER	
P.O. Box 33427			1617	
St. Paul, MN 55133-3427			DATE MAILED: 11/30/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)		
Office Action Summary		09/887,751	KANTNER ET AL.		
		Examiner	Art Unit		
		Shobha Kantamneni	1617		
Period fo	The MAILING DATE of this communication app	ears on the cover sheet with the c	orrespondence address		
A SH WHIC - Exter after - If NO - Failu Any (ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DATES of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. It period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	I. sely filed the mailing date of this communication. Or (35 U.S.C. & 133).		
Status					
2a)⊠	Responsive to communication(s) filed on 11 Au This action is FINAL. 2b) This Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro			
Dispositi	on of Claims				
5)⊠ 6)⊠ 7)□ 8)□ Applicati	Claim(s) 1-13,15 and 19 is/are pending in the a 4a) Of the above claim(s) is/are withdrav Claim(s) 1-13 and 15 is/are allowed. Claim(s) 19 is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and/or on Papers	vn from consideration. r election requirement.			
10)	The specification is objected to by the Examine The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correction to the oath or declaration is objected to by the Example 2.	epted or b) objected to by the Eddrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).		
Priority u	ınder 35 U.S.C. § 119				
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
2) D Notic 3) D Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:			

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DETAILED ACTION

Receipt is acknowledged of Amendment filed on 08/11/05, wherein new claim 19 has been added.

Claims 1-13, 15, and 19 are pending, and examined herein.

Applicant's amendment necessitated the following new ground(s) of rejection presented in this Office action.

Claim Objections

Claim 15 is objected to because of the following informalities: Claim 15 depends on a cancelled claim 14. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Bolich, Jr. et. al. (US.5,662,892).

Bolich discloses hair care compositions containing the copolymers of C1-C18 alkyl esters of acrylic or methacrylic acid having the same limitation of the instant claim 19. See col. 25, lines 57-60. The monomers of instant claim 19(a)(i) such as 2-ethylhexyl acrylate in the amount of 10-90 weight %; and the monomers of the instant claim 19(a)(ii) such as isobornyl (meth)acrylate in the amount of 5-90 weight % are

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disclosed. See col.4, lines 47-53. The reference further teaches that by appropriate

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selection and combination of the particular monomers, and by choice of specific relative

ratios of the monomers one of ordinary skill in the art can optimize the various physical

properties such as water and solvent solubility, Tg 's and non-tack of the copolymers.

See col. 5, lines 23-30 and col. 4, lines 53-60. The physical properties such as Tg of

less than 19 °C would be inherent to the copolymers obtained, by appropriate selection

and combination of particular monomers in specific relative weight ratios. An aqueous

composition comprising the copolymers wherein the copolymer is dispersed as particles

is also disclosed. See column 7, lines 41-50; column 27, claim 18.

The recitation of the intended use of the claimed invention such as "wherein

when said cosmetic application is a hair care composition, said hair care composition

does not have reshapeable effect" is not considered to limit the composition claims

herein. See, e.g., Ex parte Masham, 2 USPQ2d 1647 (1987) and In re Hack 114, USPQ

161.

The recitation "up to 20 percent by weight of methacrylic acid" in claim 19, line 3,

includes 0 % of methacrylic acid.

Thus, Bolich anticipates instant claim 19.

Allowable Subject Matter

Claims 1-13 and 15 are free of art.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period, will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shobha Kantamneni whose telephone number is 571-272-2930. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan can be reached on 571-272-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shobha Kantamneni Patent Examiner Art Unit 1617

> SREENI PADMANABHAN SUPERVISORY PATENT EXAMINER